

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Steven Allen Morris,

Plaintiff,

vs.

Carolyn W. Colvin, Commissioner of
Social Security,

Defendant.

Civil Action No. 8:15-646-RMG

ORDER


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U.S. DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Disability Insurance Benefits ("DIB") and Supplemental Security Income ("SSI"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation on May 17, 2016, recommending that the decision of the Commissioner be reversed and remanded because the Administrative Law Judge had failed to account for Plaintiff's moderate difficulties in concentration, persistence, and pace in the RFC in accord with the standards set forth in *Mascio v. Colvin*, 780 F.3d 662, 636-37 (4th Cir. 2015). (Dkt. No. 19 at 17-20). The Commissioner has filed a response to the Magistrate Judge's Report and Recommendation indicating that she will file no objections. (Dkt. No. 20). The Court has reviewed the Report and Recommendation and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the Report and Recommendation as the

order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. M. Gergel', written over a horizontal line.

Richard Mark Gergel
United States District Judge

Charleston, South Carolina
June 13, 2016